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6 **IN THE SUPERIOR COURT OF WASHINGTON**
7 **FOR KING COUNTY**

8 **STATE OF WASHINGTON,**

9 **Plaintiff**

10 **v.**

11 **Defendant**

)
)
) **No.** _____
)
)
)

12 **MOTION AND PROTECTIVE ORDER**
13 **FOR EXPERT WITNESS AND**
14 **SERVICES FUNDING REQUEST**

15 **MOTION**

16 The defendant, requests a protective order limiting the disclosure of the following
17 documents and the information contained in these documents:

- 18 1. Motion and Certification for Appointment of Expert, dated _____.
19 2. Order Authorizing Expert Services at Public Expense, dated _____.
20 3. _____,
21 dated _____.
22 4. _____,
23 dated _____.

1 These documents were provided to the Office of Public Defense (OPD) and the records
2 and information concerning these documents will be provided to various agencies in the future
3 to conduct financial business.

4 This request is made pursuant to the recent Washington Supreme Court decision in
5 *Yakima County v. Yakima Herald-Republic* 170 Wn. 2d 775 (2011). The Supreme Court ruled
6 that documents prepared by court personnel in connection with court cases and maintained by the
7 court are judicial documents governed by the court rules for disclosure and not the Public
8 Records Act (PRA). In addition, such documents when transferred to non-judicial county
9 entities, are governed by the PRA unless they are subject to a protective order.

10 The documents listed above, contain information that is work product and confidential
11 under CrR 3.1(f). They outline the defense theory of its case and identify potential experts.
12 Thus, pursuant to the most recent Supreme Court decision, the defense requests that a protective
13 order be issued limiting the disclosure of the documents listed above. The protective order
14 should place restrictions on various agencies from releasing any of these materials or any
15 information contained in these materials.

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2 **ORDER**

3 IT IS HEREBY ORDERED that any King County records or information that concern
4 the above-mentioned documents and are released to a King County Agency, the Washington
5 State Auditor, the Washington State Department of Revenue, the Internal Revenue Service
6 pursuant to state or federal law, or a state or county government financial institution for payment
7 purposes are subject to a protective order and, upon proper service of this order, shall not be
8 released to any requestor, including pursuant to a PRA request, to the King County Prosecuting
9 Attorney's Office Criminal Division, or to any governmental agency responsible for the
10 investigation or prosecution of the above-listed defendant, until further order of the court.
11 Defense counsel is responsible for effecting service.

12 DONE this ____ day of _____, 20____.

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14 _____
JUDGE

15 Presented by:

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17 _____
Attorney for the Defendant

18 Bar # _____
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